

Caroline Quarterly, #1-2022

Supervisor's Notes

2022 Budget Highlights

The [**Adopted Budget Summary**](#) is on the town website (under Documents tab). Key points:

- Salaries of Caroline elected officials were adjusted to be in line with other towns in Tompkins County by assessing salaries relative to population served. 2022 salaries are \$20,084 for Town Supervisor, \$2,746 for Town Councilperson, \$37,726 for Town Clerk, \$68,598 for Highway Superintendent, and \$15,032 for Town Justice.
- Employees received a 4% cost-of-living increase after a 2-year freeze due to the pandemic.
- Capital funds of \$30,000 were budgeted for Town Hall Improvements, \$65,000 for Highway Garage Replacement, and \$165,000 for Highway Equipment.
- The Streetlight budget decreased by 52% as a result of purchasing our streetlight facilities from NYSEG and LED conversion. Completion of this project is pending, but we are already realizing large savings.
- The 2022 tax levy was held flat in recognition of ample budget reserves and the economic stresses for residents the past two years because of the pandemic.

Zoning Planning Progress

Why are we considering zoning now?: The updated Comprehensive Plan highlighted increasing growth pressures in our rural town, which we expect to continue. The Town Board felt that the most responsible course of action was to proceed without delay to fully consider a zoning plan for the town. The goal is to promote the Town's vision and protect the welfare and property values of all of its residents. I do not believe that unplanned growth would be a good thing for Caroline.

Roadmap of our Process: New York State requires that a town considering zoning for the first time appoint a Zoning Commission to develop a zoning proposal, which is then sent to the Town Board for their consideration. See [**Adopting Zoning for the First Time**](#) for a good description of the process. Public engagement is essential for both stages, and the state requires at least one Public Hearing by the Zoning Commission and one by the Town Board. The Zoning Commission is an independent body charged by the Town Board "*to recommend the boundaries of the original zoning districts and appropriate regulations to be enforced therein, make a preliminary report, hold public hearings and submit a final report to the local governing board.*" Once the Zoning Commission passes a zoning plan on to the Town Board, the Commission ceases to exist. The Town Board then begins its own process of evaluation, public engagement, and editing, which can be as minimal or extensive as it sees fit.

The Zoning Commission was established in the spring of 2021. We solicited applications, held interviews, and appointed all four applicants, Ernie Bayles, Jean McPheeters, Bruce Murray, and Evie Weinstein. Four others expressed interest and either withdrew, did not follow through with the application process, or were not eligible as non-residents. We also appointed the Town's Planning Board to the Commission, as recommended by the state, because they have a good un-

derstanding of the Comprehensive Plan. Those members are Bill Podulka, Val Warke, Barbara Knuth, Michele Brown, and Wil Lawrence. To support this work we contracted with Community Planning & Environmental Associates led by Nan Stolzenburg, who we selected from amongst five strong proposals. Nan brings a wealth of experience and expertise with planning in rural New York communities.

Timeline: The timeline is not prescribed—it will be neither hurried nor prolonged. Informed by having a recently updated Comprehensive Plan, an appointed Zoning Commission, and the assistance of an excellent planning professional, we extended the Land Use Moratorium by 14 months on June 1st, 2021. This can be shortened or lengthened, as is needed.

Zoning Commission Update: The Zoning Commission is currently working to complete a revised draft zoning law for public review. The 12/28/21 draft document posted for the Zoning Commission's January 11, 2022 meeting was a rough starting point that was based on the Commission's work, including public information sessions, during 2021. It is a work in progress. The Commission is continuing its deliberations and considering feedback from the public. The Zoning Commission will have another Public Information Meeting once enough revised sections or a revised law are ready for further public input. Please check the town website (www.townofcaroline.org, see Notices, Calendar) for meeting dates and times. Commission agendas, minutes, and meeting documents are on the [Zoning Commission page](#) (in Committees, under Offices tab). The Zoning Commission is posting answers to questions received from the public on the [Zoning Commission Page](#) on an ongoing basis. We've also enclosed with this newsletter a colored insert of an updated Frequently Asked Questions ([FAQs](#)) document from the Zoning Commission. To attend Zoning Commission meetings:

Direct: <https://us02web.zoom.us/j/7142580644>

Meeting ID: 714 258 0644

One-tap mobile: +19292056099, 7142580644#; Dial by phone: +1 929 205 6099

Land Use Moratorium: The Town's [Local Law to Extend the Current Land Use Moratorium](#) is currently in place. Land Use Moratoria protect the interests of a town and its residents while new land use regulations are under consideration. The moratorium does not apply to residential building projects. Please see [Local Law #3 of 2020](#), Section 7 Waivers, for the process for applying for an exemption from the moratorium should an applicant or landowner suffer extraordinary hardship from the requirements or limitations of the moratorium.

I want to thank the Zoning Commission volunteers for their hard work and to the community for your engagement in our zoning process. We all have different ideas and ways of doing things, but at the end of the day we're all neighbors and we all want the best for Caroline. Let's continue to work together with good will and in good faith.

Frequently Asked Questions about the Town of Caroline Zoning Process

1) What is a Zoning Commission?

Before adopting zoning for the first time, New York State law requires that the town appoint a “Zoning Commission.” The Zoning Commission is a committee separate from the rest of town governance whose sole task is to prepare a draft zoning plan to submit to the Town Board for its consideration. The Zoning Commission recommends to the Town Board the boundaries of proposed zoning districts and appropriate regulations and allowed uses for each district.

2) How does the public participate in the planning and review process?

The public created the outline of the zoning plan through its input on the Comprehensive Plan adopted by the Town in 2021; by law any zoning proposal must be based on a town’s Comprehensive Plan. In addition, the public can participate directly in the following ways: Privilege of the Floor at Zoning Commission meetings. Meetings of the Zoning Commission are open to the public and the public is invited to address the Zoning Commission during the beginning of every meeting.

Mail and email. Questions and comments can be submitted at any time either by mail to the Town Clerk (PO Box 136, 2670 Slaterville Road, Slaterville Springs, NY 14881) or via email to the Town Clerk (clerk@townofcaroline.org) or to the Chair of the Zoning Commission (jeanmcpheeters@gmail.com).

Public Information Meetings. The Zoning Commission held two information meetings in December and will hold additional meetings to update the Town on its progress on a zoning plan and to gather feedback from Town residents on the proposal as it develops.

Public Hearings. After the Zoning Commission has produced a near-final draft plan, that plan will be submitted to the public for review and comment at a formal, legally-noticed public hearing. The Commission will then make final revisions to the draft zoning plan based on those public comments before sending the proposed plan to the Town Board for their consideration. After the Commission has submitted its proposed plan to the Town Board, at least one additional public hearing will be held by the Town Board before it takes formal action on the plan, which may involve additional revisions and then a vote of the Board about whether to adopt the zoning plan.

3) If zoning is passed or amended, will that involve a public referendum?

No. Adoption by referendum is not allowed under New York State law. The legal process is for the Town Board to vote and adopt zoning as a local law.

4) How does zoning affect property value?

Property value is determined by market conditions. In general, zoning offers stability and predictability and so helps maintain property value. Residents and businesses alike want to make sure that their investment is going to be valuable in the long run. With zoning, local

property owners are protected from incompatible businesses opening close to them that would decrease the value of their property. In the long term, zoning, if done well, should add value to properties because it will help Caroline remain a quality place to live and establish businesses.

It is important to realize that due to NYS Real Property Tax Law, the Tompkins County Department of Assessment values properties based on the current use (except for properties that are vacant and that have no current use; in that case the properties are assessed based on “highest and best use”). That means that a residential property will not suddenly be assessed higher if it is located in a district that is zoned commercial in the new zoning law because it will still be assessed as a residence. Likewise, a residential property will not suddenly be assessed lower if it is located in a district that does not allow commercial activity because it was already being assessed as a residence, not for any possible commercial value.

5) How would a zoning plan affect my taxes?

There is likely to be no effect on taxes in the short term. The long-term impacts depend on how markets respond to zoning in the town. The amount of tax you pay is the product of the tax rate and the value of your property. The tax rate is determined by the town budget divided by the value of all the property in Caroline. As noted above, zoning tends to preserve or enhance property value in general, which would mean a stable or reduced tax rate for the town. For a particular property, whether the amount of taxes paid goes up or down will depend on whether markets value that property more or less compared to the average change for all property.

6) Don't we already have laws that regulate land use? Why do we need more?

Yes, Caroline does require application of the New York State Building Code, has a Subdivision Review Law, and has a Site Plan Review Law now. Zoning, if implemented, would work with the existing laws and would incorporate and reference those laws. However, at present none of the regulations or laws stated above protect residential property owners from having undesirable land uses move in next door to them, nor are they strong tools for protecting the environment, maintaining community character, or only allowing development that is matched with local conditions, which are all goals of the Town's Comprehensive Plan. The strength of zoning is that it allows regulations to be tailored to specific geographic regions within the Town and allows control over what types of businesses are and are not allowed.

7) What if I own a property that does not conform with the new zoning district, for example, I own a commercial property in a newly-defined residential zone?

In general, a nonconforming use can continue in a particular district. A limited amount of remodeling, rebuilding, or expansion will be allowed for such a building; how large that limit should be is an example of the type of specific issues the Zoning Commission is discussing. In some cases, one may be able to apply for a special use permit to add a non-conforming use.

8) Will there be any restrictions on the size of buildings?

The Zoning Commission has made no final decisions yet related to building sizes. In general, the draft plan may include maximum square footages for the footprint of a commercial or business building, and those maximums may vary by proposed zoning district within the Town. There are no footprint square footage restrictions currently proposed for single- or two-family residential dwellings. The Zoning Commission will gather public input on questions like this as it works on developing a draft plan that will undergo further public review at public hearings.

9) Will this plan have any architectural restrictions?

There will be no architectural restrictions on residential buildings. Zoning by itself imposes no architectural restrictions; any architectural restrictions for commercial buildings come about through the Site Plan Review Law. As noted above, Caroline already has a Site Plan Review Law and that law has some architectural guidelines for commercial buildings. The Site Plan Review Law will be incorporated into the zoning regulations if zoning is adopted. In 2020 Caroline's Land Use and Economic Development Task Force made recommendations for improving the town's Site Plan Review Law. The recommended revisions include more extensive general architectural requirements for commercial buildings to ensure that these new structures fit into the small-town character of Caroline, as well as updated sign, lighting, and landscaping requirements for commercial structures. The Zoning Commission will gather public input on questions like this as it works on developing a draft plan.

10) I've seen on social media that zoning will set standards for what the exterior of my house must look like, what flowers I can plant in my garden, what height I have to cut my lawn, who is allowed to stay overnight in my home, and various other rules that would control private homes. What regulations will be placed on residential buildings and yards?

Zoning in the Town of Caroline will not impose any restrictions on what your house and yard look like. Currently, new residential construction requires obtaining a building permit from the Code Enforcement Office for reasons of safety and public health (for example, having appropriate well or drinking water source and appropriate septic system), but there will be no zoning-related restrictions on what your house looks like, how you choose to maintain the yard of your home, or who visits you in your home.

11) The Comprehensive Plan establishes a goal of preserving our rural character and farmland. How might zoning address the preservation of rural areas and farmland?

The Zoning Commission has not made any final decisions yet but it is likely that a zoning proposal would address this issue by controlling density of development (how many dwellings or structures are allowed in an area of a certain size) and layout of development (how or where the new structures are placed on the land). The general idea is to allow new growth but to do it in a smart way that is sustainable environmentally and socially. Prime Farmland Soils and other areas identified as important agricultural areas in the town could

also be designated as an overlay district, providing additional protection for these most important agricultural resources.

12) I've heard that if I'm subdividing property in the agricultural-rural zone that I will need to sell off at least three acres. Is that correct?

No, that is not correct. The zoning draft sets no minimum lot size in the agricultural-rural zone; lots of any size can be divided off from a parcel. Note, though, that typically lots must be at least an acre in size in order to meet Tompkins County Health Department requirements for water supply and septic systems. The misunderstanding about minimum lot size comes from a proposed density limit of one dwelling per three acres in the agricultural-rural zone. The density limit does not mean that each subdivided parcel needs to be three acres, just that the average size of the parcels (whatever remains of the original parcel plus whatever lots are subdivided off) must be at least three acres. What this means in practice is that the maximum number of lots that can be created is the original parcel size divided by three. Whether that number should be three or five or some other number to best preserve the rural nature of the agricultural-rural zone is under active discussion by the Zoning Commission.

13) What is being done to protect the town water?

The Comprehensive Plan makes it clear that water protection is an important goal for the town and that will be reflected in any zoning proposal. Though the Zoning Commission has not made any final decisions yet, the principle will be to set the density of development at a level consistent with the ability of the land to sustain that development from a water quantity and quality point of view. Zoning will establish setbacks from wetlands and streams as well to further protect water quality and quantity. An overlay district covering water resources is likely to be used; that overlay may cover just water resources or may be configured to include other environmental resources.

14) Where can I put a new business in town?

As mentioned in other answers, no final decisions on zoning district boundaries or allowed uses within each type of zoning district have been made. The following information is a snapshot of the Zoning Commission's discussion. The Zoning Commission strongly feels that farming, farm-related businesses, and occupations operating out of homes should be allowed in all districts in the Town. Some kinds of home-based occupations may need a special use permit that involves some review by the Town's Review Board and may attach specific conditions to a particular type of use to mitigate possible adverse impacts on neighboring properties. The vast majority of the town will be an "Agriculture and Rural District". The main hamlets of Brooktondale, Slaterville Springs and Speedsville will continue to have a mix of residential and commercial uses. Some other areas of town where there are already concentrations of residences may be designated "residential hamlets"; the Zoning Commission is still discussing what level of commercial activity they would recommend as appropriate for these different areas. Some businesses such as bed and breakfast inns, campgrounds, day care centers, kennels, outdoor recreational businesses, service businesses, and veterinary

hospitals are likely to be allowed almost everywhere in Town. Some commercial ventures (primarily large ones or those that have a significant negative impact on the environment) are likely to be disallowed as not being consistent with the small-town character and environmental values of the town. The Zoning Commission is in the process of examining various commercial activities to identify what may be appropriate for Caroline and what types of businesses due to their size or operational requirements would require a commercial zone to separate them from residential properties. Proposed allowed use tables for each proposed zoning district will be presented at a future public information meeting for public feedback as the Zoning Commission works on developing a draft zoning plan.